

**United States District Court
Western District of Texas
Austin Division**

**Leila Green Little, *et al.*,
Plaintiffs,
v.
Llano County, *et al.*,
Defendants,
and
The State of Texas,
Intervenor-Defendant.**

Case No. 1:22-cv-424-RP

**DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION FOR A BRIEFING
SCHEDULE ON PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION.**

Defendants have gone to great lengths to accommodate Plaintiffs' desires to this point in advance of the July 7th hearing on their Motion for Preliminary Injunction. They are currently engaged in written discovery on an expedited schedule pursuant to Plaintiffs' wishes. They are also preparing for depositions to be scheduled before the end of June. Plaintiffs have proposed a briefing schedule that is untenable given what is to take place over the next two weeks. The Court should deny their motion and enter a briefing schedule that will allow Defendants to provide a full response to Plaintiffs' allegations.

On June 8, 2022, Defendants agreed to produce written discovery responses to Plaintiffs' discovery requests and produce three witnesses to be deposed on or before June 29, 2022. Following this agreement, Plaintiffs proposed the briefing schedule articulated in their motion, which would make Defendants' response due *before* they have even been deposed. This would place Defendants at a significant disadvantage because they would not be able to include any deposition testimony they may wish to include as evidence in support of their response. Given that Plaintiffs were satisfied to depose Defendants by June 29, 2022, Defendants were surprised at

Plaintiffs' subsequent insistence on them filing their response before their depositions had taken place.

Nevertheless, in an effort to compromise, Defendants suggested a response date of June 30, 2022—a mere six days after Plaintiffs' proposed response deadline. Defendants further proposed a reply deadline of July 5, 2022. Plaintiffs' rejected that proposal, expressing concern that the Court would not have sufficient time to review the pleadings before the hearing. That concern is either misplaced or disingenuous. The Court has had since May 9, 2022, to review and consider Plaintiffs' motion for preliminary injunction. ECF No. 22. Should Defendants file their response by June 30, 2022, the Court will have a week to review and consider that pleading. And should Plaintiffs file their reply on July 5, 2022, the Court will have over a day to review and consider their reply. Defendants do not share Plaintiffs' skepticism as to the Court's ability to review and consider their reply before the July 7, 2022 hearing.

Plaintiffs' proposed briefing schedule is untenable and prejudicial to Defendants. Defendants therefore respectfully request that the Court deny Plaintiffs' motion and alter the briefing schedule proposed by Defendants: a deadline of June 30, 2022 for Defendants' response and a deadline of July 5, 2022 for Plaintiffs' reply.

Dated June 15, 2022.

Respectfully submitted,

Dwain K. Rogers

Dwain K. Rogers

Attorney in Charge

Texas Bar No. 00788311

County Attorney

Matthew L. Rienstra

Texas Bar No. 16908020

First Assistant County Attorney

Llano County Attorney's Office

Llano County Courthouse
801 Ford Street
Llano, Texas 78643
(325) 247-7733
dwain.rogers@co.llano.tx.us
matt.rienstra@co.llano.tx.us
Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on June 15, 2022, a true and correct copy of the foregoing document was served on all counsel of record who have appeared in this case using the Court's CM/ECF system as a Filing User.

Dwain K. Rogers
Dwain K. Rogers
Llano County Attorney
Texas Bar No. 00788311
Matthew L. Rienstra
First Assistant County Attorney
Texas Bar No. 16908020
801 Ford, Room 111
Llano, Texas 78643
Tel. 325-247-7733
Fax. 325-247-7737
drogers@co.llano.tx.us
matt.rienstra@co.llano.tx.us
Attorneys for Defendants